

**Amendment No. 4 to HB2623**

**Clemmons**  
**Signature of Sponsor**

**AMEND Senate Bill No. 2381\***

**House Bill No. 2623**

by inserting the following new sections immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 29-39-102, is amended by deleting subdivision (a)(2) and substituting instead the following:

(2) Compensation for any noneconomic damages suffered by each injured plaintiff in an amount to be determined by the trier of fact for all injuries and occurrences that were or could have been asserted, regardless of whether the action is based on a single act or omission or a series of acts or omissions that allegedly caused the injuries or death.

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 29-39-102, is amended by deleting subsection (b) and substituting instead the following:

(b) If multiple defendants are found liable under the principle of comparative fault, the amount of all noneconomic damages shall be apportioned among the defendants based upon the percentage of fault for each defendant, so long as the plaintiff's comparative fault (or in a wrongful death action, the fault of the decedent) is not equal to or greater than fifty percent (50%), in which case recovery for any damages is barred.

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 29-39-102, is amended by deleting subsections (c) through (i) and subsection (n).